

Ombudsman Guide for Complainant

What is the Ombudsman Service: The REALTOR® Ombudsman service is an avenue to receive and resolve disputes through constructive communication. This service is available to REALTOR® members as well as members of the public.

How It Works: When a written complaint/request is received at the local board, it can be referred to an Ombudsman who will attempt to resolve the matter. If the complaint involves an allegation of public trust, the matter will not be referred. You will receive this guide explaining the process and a form for you to sign and return to the board office setting forth their acceptance of the process.

A qualified Ombudsman will contact you and listen to your issues and attempt to resolve the dispute with constructive communication. All communications made to the Ombudsman or JBOR, whether written or oral, shall be confidential and may not be disclosed, other than communicating information and results between staff and the ombudsman, to any other person for any reason.

If a matter complained of is resolved to the mutual satisfaction of all parties through the efforts of an ombudsman, the formal ethics complaint brought initially (if any) will be dismissed by JBOR. If the process is rejected by the parties, then the complaint, in proper form, may be filed within a 180 days from when the matter was first brought to the board's attention.

The Ombudsman's responsibilities:

- ✓ Maintain confidentiality of all parties
- ✓ Field and respond to any real estate questions including but not limited to:
 - General questions about real estate practice
 - Transaction details
 - Ethical practices.
 - Options for filing complaints
 - Questions of compliance with governing documents
- ✓ Contact the complainant within two business days of receiving the complaint. Two to three attempts to reach the parties should be made before closing the file.

Benefits of REALTOR® Ombudsman Benefits

You can receive non-judgmental real estate related information in a timely manner and at no cost.

What the Ombudsman will NOT do

- ✓ Adjudicate/make final decision
- ✓ Give Legal advice
- ✓ Determine who is right or wrong
- ✓ Disclose communications- Process is CONFIDENTIAL
- ✓ Make any written records of discussion and/or agreements